

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER 96-162

AMENDING ORDER NOS. 94-042, 92-127, 92-022, 91-095, & 91-016,
REMOVING SANDOZ CROP PROTECTION CORPORATION FROM SITE CLEANUP
REQUIREMENTS

FOR:

RHONE-POULENC INC.

FOR THE SITE LOCATED AT:

1990 BAY ROAD
EAST PALO ALTO
SAN MATEO COUNTY

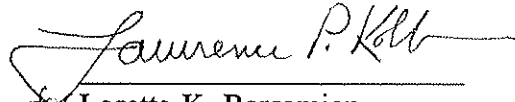
The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. Site Cleanup Requirements (SCR) Order 91-016 was adopted on February 20, 1991 for Rhone-Poulenc, Inc. (RPI) and Sandoz Crop Protection Corporation (SCPC) for the site located at 1990 Bay Road (the "Site"). The Order split the Site into the Upland Operable Unit (Upland OU) and the Wetland Operable Unit (Wetland OU), and set forth tasks and time schedules for the feasibility studies and remedial action plans for these units. SCR Order 91-095, amending Order 91-016, was adopted on June 19, 1991, setting forth tasks and time schedules for the implementation of the Early Action Removal Plan for the Site. SCR Order 92-022, amending Orders 91-016 and 91-095, was adopted on February 19, 1992, setting forth tasks and time schedules for implementation of the Remedial Action Plan ("RAP") for the Upland OU of the Site. SCR Order 92-127 was adopted on October 21, 1992, amending Orders 92-022, 91-095, and 91-016 to consolidate tasks, schedules, and reporting requirements. SCR Order 94-042 was adopted on March 16, 1994, amending Orders 92-022 and 92-127, modifying the boundaries of the OUs to annex the Torres and Pacific Gas and Electric properties from the Wetland OU into the Upland OU.

2. RPI is the successor in interest to Chipman Chemical and Rhodia, which from 1926 to 1971 were known to have produced arsenic-based pesticides at the site and is the probable source of some of the pollutants found in soil and groundwater, both onsite and on adjacent properties. RPI is a discharger because it is the successor in interest of Chipman and Rhodia and is responsible for any discharges which they may have caused. SCPC purchased the property from RPI in 1972 and operated the facility for the production of insect control chemicals, not related to the inorganic pollution found on the Site. SCPC sold the property back to RPI in 1994 when their operations ceased. SCPC was named as a discharger in Orders 94-042, 92-127, 92-022, 91-095, & 91-016 based on its ownership of the property at the time the Orders were adopted and their use of solvents which also appear in groundwater at the Site.
- 2.1 Investigations conducted on other properties within the adjacent industrial area, indicate that the source of the organic solvents previously detected in groundwater on the Site appear to originate from an offsite source. Data presently available does not indicate that a source of the solvents detected in groundwater exists on the 1990 Bay Road property, previously owned by SCPC. Based on this information and the fact that SCPC no longer owns the 1990 Bay Road property, amendment to the existing SCR Orders which named SCPC as a discharger is warranted. This Order amends SCR Orders 94-042, 92-127, 92-022, 91-095, & 91-016 to remove SCPC as a discharger and eliminates the groundwater monitoring requirements for volatile organic compounds. Should, however, future investigations on the 1990 Bay Road property discover that a source of organic solvents does exist, the Board may take action at that time to name SCPC or other parties responsible for the discharge.
3. This action is an order to enforce the laws and regulations administered by the Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.
4. The Board has notified the discharger and all interested agencies and persons of its intent under California Water Code Section 13304 to prescribe site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.
5. The Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to Section 13268 of the California Water Code, that Order Numbers: 94-042, 92-127, 92-022, 91-095, 91-016 and 94-042 are amended to remove SCPC as a discharger and eliminates the requirements for groundwater monitoring of volatile organic compounds onsite.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on December 18, 1996.



for Loretta K. Barsamian
Executive Officer